

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ANTONIO MOORE, : Case No. C-1-02-430

Plaintiff, : \_\_\_\_\_

v. : Judge Weber

KROGER COMPANY, et. al., : \_\_\_\_\_

Defendants : \_\_\_\_\_

\_\_\_\_\_

AMENDMENT TO  
MOTION OF DEFENDANT, THE KROGER COMPANY,  
FOR SUMMARY JUDGMENT

Comes now Defendant, The Kroger Company, and hereby files an amendment to its Motion for Summary Judgment previously filed herein, namely: copies of the following unreported cases which were inadvertently omitted as an attachment to the original Motion for Summary Judgment: *Hehemann v. City of Cincinnati*, 45 F.3d 430, 1994 WL 714387 (6th Cir. Ohio) and *Adkins v. Chudowsky*, 2001 WL 1339008 (Ohio App. 9 Dist.).

Respectfully submitted,

S/ Lawrence E. Barbriere

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 17, 2003, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Robert E. Manley, Esq. and Fanon A. Rucker, Esq. **Attorneys for Plaintiff**, Manley, Burke, 225 West Court Street, Cincinnati, OH 45202, Thomas Harris, Esq. **Attorney for Defendants, City of Cincinnati, McNeil, Schulte and Bley**, Assistant City Solicitor, City of Cincinnati, 214 City Hall, 801 Plum Street, Cincinnati, OH 45202.

S/ Lawrence E. Barbiere

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